

# **EXHIBIT A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

JOE GANDY,

Plaintiff,

v.

UNUM LIFE INSURANCE COMPANY  
OF AMERICA d/b/a UNUM and THE  
UNUM GROUP,

Defendants.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

C.A. No. 4:16-cv-01361

**INDEX OF STATE COURT FILED DOCUMENTS**

**Date Received / Filed**

- |    |  |         |
|----|--|---------|
| 1. | Docket Sheet from Harris County District Clerk, 190th Judicial District                | N/A     |
| 2. | Plaintiff's Original Complaint and Jury Demand   | 4/4/16  |
| 3. | Service of Process Transmittal with Citation on Unum Life Insurance Company of America | 4/25/16 |
| 4. | Affidavit of Service on Unum Life Insurance Company of America                         | 4/26/16 |
| 5. | Civil Process Request Form   | 5/9/16  |

Respectfully submitted,

By: /s/ Dennis M. Lynch

Dennis M. Lynch  
State Bar No. 90001506  
S.D. No. 23163  
[dennis.lynch@figdav.com](mailto:dennis.lynch@figdav.com)  
Attorney-in-Charge

Of Counsel:  
Roshanak Khosravighasemabadi  
State Bar No. 24048587  
S.D. No. 922957  
[rosh.khosravi@figdav.com](mailto:rosh.khosravi@figdav.com)

FIGARI + DAVENPORT, LLP  
901 Main Street, Suite 3400  
Dallas, Texas 75202-3796  
(214) 939-2000  
(214) 939-2090 (Facsimile)

ATTORNEYS FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been sent by certified mail, return receipt requested, to Michael Patrick Doyle and Patrick M. Dennis, Doyle LLP, The Clocktower Building, 3401 Allen Parkway, Suite 100, Houston, Texas 77019, on this the 13th day of May, 2016.

/s/ Dennis M. Lynch  
Dennis M. Lynch

**1**

**HCDistrictclerk.com**GANDY, JOE vs. UNUM LIFE INSURANCE COMPANY  
OF AMERICA (D/B/A UNUM

5/12/2016

Cause: 201621120 CDI: 7 Court: 151

**DOCUMENTS**

Number	Document	Post Jdgm	Date	Pgs
70156337	Civil Process		05/09/2016	2
69960035	Citation Corporate		04/26/2016	2
69949207	Civil Process Pick-Up Form		04/12/2016	1
69658452	Plaintiff's original complaint & Jury Demand		04/04/2016	11

**2**

Cause No. \_\_\_\_\_

[illegible]

\_\_\_\_ JUDICIAL DISTRICT

2.3 Defendant Unum Group Corporation ("Unum Group") is the parent company of Unum. Unum Group may be served through its registered agent: CORPORATION

SERVICE COMPANY D/B/A CSC-LAWYERS INCO, 211 E 7TH STREET SUITE 620  
AUSTIN, TX 78701.

2.4 Defendant Unum Group exercises significant control over the policies and actions of Defendant Unum.

2.5 Defendant Unum Group is the employer of all persons who acted on behalf of Unum in regards to Plaintiff's claim.

2.6 Plaintiff alleges upon information and belief that Defendant Unum Group established the policies and procedures governing the payment or denial of claims, the policy for document retention and otherwise established the procedures under which the decision-makers made the decision to deny benefits that is the subject of this law suit, and was the de facto decision-maker in the Plaintiff's claim.

■ VENUE & JURISDICTION ■

3.1 Venue is proper in Harris County under Texas Civil Practice & Remedies Code § 15.0181(c)(1), as Defendant Unum and Unum Group maintain its principal office in the State of Texas in Harris County as defined by Texas Civil Practice & Remedies Code

3.2 Mr. Gandy seeks damages within the jurisdictional limits of this Court. At this time, Mr. Gandy seeks monetary relief in an amount over \$1,000,000. Mr. Gandy reserves the right to modify the amount and type of relief sought in the future.

■ FACTUAL BACKGROUND ■

4.1 Plaintiff Joe Gandy, worked for Amarillo College as a professor. As part of his compensation package at the college, Mr. Gandy was provided disability insurance through Unum, policy number 341306. Unfortunately, Mr. Gandy began suffering from



an aggravation of Post-Traumatic Stress Disorder (PTSD), preventing him from being able to perform his duties as a professor. Indeed, on or about September 28, 2013, Mr. Gandy no longer was able to work in his position at Amarillo College due to aggravations of PTSD, secondary to poorly controlled diabetes, chronic neck and low back pains, seizure disorder, and various other physical medicine issues. Plaintiffs treating physicians confirmed that he was no longer able to work in his position due to this disability.

4.2 In response to his medical diagnosis, Plaintiff filed a claim with UNUM for long-term disability benefits (Claim Number 9433321). Plaintiff included supporting medical records confirming his disability. UNUM, however, wrongfully denied Plaintiff's claim by way of correspondence dated April 3, 2014. At the time of the denial, UNUM had in its possession Plaintiff's medical records documenting his condition and disability

4.3 Though Plaintiff's claim was not governed by The Employee Retirement Income Security Act ("ERISA"), in a good faith effort to resolve the situation, Plaintiff sent additional medical records to UNUM showing that he was disabled according the Policy and therefore entitled to its benefits. Plaintiff again provided supporting confirmation of his disability from his treating physicians (Dr. Chavez and Dr. Whittaker), and also included a vocational report completed by Wallace Stanfill on November 07, 2014. Mr. Stanfill's assessment concluded Mr. Gandy could not perform his own occupation or other occupations secondary to poorly controlled diabetes, chronic neck and low back pains, seizure disorder, various other physical medicine issues, and PTSD.

4.4 Despite this evidence, UNUM sent a correspondence dated January 6, 2015, asserting that it was upholding its total denial of benefits. This denial lacked any reasonable basis under Texas law. Unfortunately, given UNUM's wrongful acts and repeated denials of payment, Mr. Gandy has been subjected to significant economic impact, worry, distress, and continuing economic and physical damage. In addition, Mr. Gandy suffered financial harm and damage as a result of Defendant's denials and repeated delays.

4.5 UNUM's wrongful conduct includes the following acts or omissions:

- a. Failure to conduct a reasonable investigation of the events and facts relating to the disability insurance claim submitted by Mr. Gandy;
- b. Failure to timely recognize and acknowledge the nature and extent of Mr. Gandy's physical, financial, and other injuries;
- c. Failure to accept the undisputed evidence regarding Mr. Gandy's medical condition and disability;
- d. Creation of pretextual reasons to deny and/or delay payment of the underlying claim and engagement in an "outcome-driven" approach to the claim; and
- e. Failure to ensure that the industry's best practices were applied consistently with regard to the insurance claim.

4.6 The significant effect of Defendants' conduct and consequent wrongful and unjustified delays is still uncompensated.

■ FIRST CAUSE OF ACTION—Violations of Texas Insurance Code ■

- 5.1 Plaintiff re-alleges and incorporates each allegation contained in Paragraphs 1-4.6 of this Petition as if fully set forth herein.
- 5.2 UNUM failed to attempt to effectuate a prompt, fair, and equitable settlement of a claim with respect to which liability has become reasonably clear, in violation of Texas Insurance Code section 541.060 (a)(2)(A) (formerly Art. 21.21 §4(10)(ii)).
- 5.3 UNUM failed to adopt and implement reasonable standards for prompt investigation of claims arising under its policies.
- 5.4 UNUM failed to provide promptly a reasonable explanation, in relation to the facts or applicable law, for the denial of a claim, in violation of Texas Insurance Code section 541.060 (a)(3) (formerly Art. 21.21 §4(10)(iv)).
- 5.5 UNUM refused to pay a claim without conducting a reasonable investigation with respect to the claim, in violation of Texas Insurance Code section 541.060 (a)(7) (formerly Art. 21.21 §4(10)(vii)).
- 5.6 UNUM misrepresented the insurance policy under which it affords insurance coverage to Mr. Gandy, by making an untrue statement of material fact, in violation of Texas Insurance Code section 541.061 (1) (formerly Art. 21.21 §4(11)(a)).
- 5.7 UNUM misrepresented the insurance policy under which it affords insurance coverage to Mr. Gandy, by failing to state a material fact that is necessary to make other statements made not misleading, in violation of Texas Insurance Code section 541.061 (2) (formerly Art. 21.21 §4(11)(b)).

5.8 UNUM misrepresented the insurance policy under which it affords coverage to Mr. Gandy, by making a statement in such manner as to mislead a reasonably prudent person to a false conclusion of material fact, and failing to disclose a matter required by law to be disclosed, in violation of Texas Insurance Code section 541.061 (3) (formerly Art. 21.21 §4(11)(c)) and Texas Insurance Code section 541.002 (1) (formerly Art. 21.21 §4(11)(e)).

5.9 UNUM knowingly committed the foregoing acts, with actual knowledge of the falsity, unfairness, or deception of the foregoing acts and practices, in violation of Texas Insurance Code section 541.002 (1) (formerly Art. 21.21 §2(c)).

■ SECOND CAUSE OF ACTION – Prompt Payment of Claim ■

6.1 Plaintiff re-alleges and incorporates each allegation contained in Paragraphs 1-5.9 of this Petition as if fully set forth herein.

6.2 UNUM failed to timely request from Mr. Gandy any additional items, statements or forms that UNUM reasonably believed to be required from Mr. Gandy, in violation of Texas Insurance Code section 542.055 (a)(2)-(3).

6.3 UNUM failed to notify Mr. Gandy in writing of the acceptance or rejection of the claim not later than the fifteenth business day after receipt of all items, statements, and forms required by UNUM in violation of Texas Insurance Code section 542.056(a).

6.4 UNUM delayed payment of Mr. Gandy's claim in violation of Texas Insurance Code section 542.058(a).

■ THIRD CAUSE OF ACTION – Statutory Interest ■

7.1 Plaintiff re-alleges and incorporates each allegation contained in Paragraphs 1-6.4 of this Petition as if fully set forth herein.

7.2 Mr. Gandy makes a claim for penalties of 18% statutory interest on the amount of the claim along with reasonable attorneys' fees for violation of Texas Insurance Code Subchapter B pursuant to Texas Insurance Code section 542.060.

■ **FOURTH CAUSE OF ACTION—Breach of Duty of Good Faith & Fair Dealing** ■

8.1 Plaintiff re-alleges and incorporates each allegation contained in Paragraphs 1-7.2 of this Petition as if fully set forth herein.

8.2 UNUM, as Mr. Gandy's insurer, had a duty to deal fairly and in good faith with him in the processing of the underlying claim. UNUM breached this duty by refusing to properly investigate and effectively denying insurance benefits. UNUM knew or should have known that there was no reasonable basis for denying or delaying the required benefits. As a result of UNUM's breach of these legal duties, Mr. Gandy suffered legal damages.

■ **FIFTH CAUSE OF ACTION—Punitive Damages for Bad Faith** ■

9.1 Plaintiff re-alleges and incorporates each allegation contained in Paragraphs 1-8.2 of this Petition as if fully set forth herein.

9.2 UNUM acted fraudulently and with malice (as that term is legally defined) in denying Mr. Gandy's claim for coverage benefits. Further, UNUM had actual, subjective awareness of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of Mr. Gandy.

■ **SIXTH CAUSE OF ACTION—Violations of Texas DTPA** ■

10.1 Plaintiff re-alleges and incorporates each allegation contained in Paragraphs 1-9.2 of this Petition as if fully set forth herein.

10.2. The Deceptive Trade Practices-Consumer Protection Act (DTPA) provides additional protections to consumers who are victims of deceptive, improper, or illegal practices. UNUM's violations of the Texas Insurance Code create a cause of action under the DTPA. UNUM's violations of the Texas Insurance Code, as set forth herein, specifically violate the DTPA as well.

10.3 The violations by UNUM also are "unconscionable" as that term is legally defined, and subject each to liability for such "unconscionable" acts as set forth by law.

**■ SEVENTH CAUSE OF ACTION—Fraud ■**

11.1 Plaintiff re-alleges and incorporates each allegation contained in Paragraphs 1-10.3 of this Petition as if fully set forth herein.

11.2 UNUM acted fraudulently as to each representation made to Mr. Gandy concerning material facts for the reason they would not have acted and which UNUM knew were false or made recklessly without any knowledge of their truth. The representations were made with the intention that they be acted upon by Mr. Gandy, who relied on those representations, thereby causing injury and damage to Mr. Gandy.

**■ EIGHTH CAUSE OF ACTION—BREACH OF CONTRACT ■**

12.1 Plaintiff re-alleges and incorporates each allegation contained in Paragraphs 1 through 11.2 of this Petition as if fully set forth herein.

12.2 Plaintiff has suffered and continues to suffer from a disability as defined in the Policy and/or as defined under applicable state law.

12.3 Plaintiff has complied with all Policy provisions and conditions precedent to qualify for benefits prior to filing suit.

12.4 Defendant, under the terms of the contract of insurance, is indebted to Plaintiff for the disability benefits due under the terms of the Policy.

12.5 Defendant failed and refused to honor their common law and contractual obligations under the policy of insurance that was issued to the Plaintiff for the benefit of Plaintiff.

12.6 Defendant breached its contract with Plaintiff to provide all disability benefits due to her, including but not limited to disability benefits.

12.7 Defendant breached its contract by failing to timely pay disability benefits owed to Plaintiff, by incentivizing its employees to deny claims such as Plaintiff's and by further engaging in actions which resulted in the lack of a fair, thorough and objective review.

12.8 As a direct and proximate result of Defendant's actions in handling this claim, Plaintiff has suffered, and continues to suffer, monetary loss and damages.

■ **KNOWLEDGE** ■

14.1 Each of the actions described herein were done "knowingly" as that term is used in the Texas Insurance Code and were a producing cause of Plaintiff's damages.

■ **RESULTING LEGAL DAMAGES** ■

15.1 Mr. Gandy is entitled to the actual damages resulting from UNUM's violations of the law. These damages include the consequential damages to his economic welfare from the wrongful denial and delay of benefits; the mental anguish and physical suffering resulting from this wrongful denial of benefits; and continued impact on Mr.

Gandy; lost credit reputation; and the other actual damages permitted by law. In addition, Plaintiff is entitled to exemplary damages.

15.2 As a result of UNUM's acts and/or omissions, Mr. Gandy has sustained damages in excess of the minimum jurisdictional limits of this Court.

15.3 Mr. Gandy is entitled under law to the recovery of prejudgment interest at the maximum legal rate.

15.4 UNUM's knowing violations of the Texas Insurance Code and DTPA entitle Mr. Gandy to the attorneys' fees, treble damages, and other penalties provided by law.

15.5 Mr. Gandy is entitled to statutory interest on the amount of his claim at the rate of 18% per year as damages under Texas Insurance Code section 542.060(a).

15.6 Mr. Gandy is also entitled to the recovery of attorneys' fees pursuant to Texas Civil Practice & Remedies Code section 38.001, Texas Insurance Code section 542.060(a)-(b), Texas Business & Commerce Code section 17.50, and Texas Civil Practice & Remedies Code section 37.009.

■ PRAYER ■

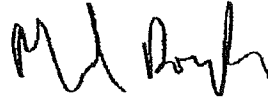
WHEREFORE, PREMISES CONSIDERED, Plaintiff Joe Gandy respectfully requests that he have judgment against UNUM for actual damages in excess of the minimum jurisdictional limits of this Court, pre- and post-judgment interest as allowed by law, costs of suit, and all other relief, at law or in equity, to which Plaintiff may be entitled.

DATED: APRIL 2, 2016



Respectfully submitted,

DOYLE LLP



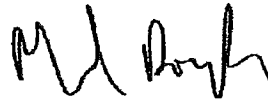
---

MICHAEL PATRICK DOYLE  
State Bar. No. 06095650  
PATRICK M. DENNIS  
State Bar No. 24045777  
DOYLE LLP  
THE CLOCKTOWER BUILDING  
3401 Allen Parkway, Suite 100  
Houston, Texas 77019  
Phone: 713.571.1146  
Fax: 713.571.1148  
service@doylelawfirm.com

ATTORNEYS FOR PLAINTIFF

**JURY DEMAND**

*Mr. Gandy hereby demands a trial by jury, a right enshrined in the Constitutions of the United States of America and the State of Texas and preserved by the sacrifices of many. The necessary jury fee has been paid.*



---

MICHAEL PATRICK DOYLE

**3**



CORPORATION SERVICE COMPANY®

## Notice of Service of Process

null / ALL  
Transmittal Number: 15079927  
Date Processed: 04/26/2016

Primary Contact: Marti Cornwell  
UNUM Group  
1 Fountain Square  
Chattanooga, TN 37402

Copy of transmittal only provided to: Janna Mullin-Erickson  
Jen Majic  
Judy Drake

---

Entity:	UNUM Life Insurance Company Of America Entity ID Number 2979591
Entity Served:	Unum Life Insurance Company of America dba UNUM
Title of Action:	Joe Gandy vs. Unum Life Insurance Company of America dba UNUM
Document(s) Type:	Citation/Petition
Nature of Action:	Contract
Court/Agency:	Harris County District Court, Texas
Case/Reference No:	2016-21120
Jurisdiction Served:	Texas
Date Served on CSC:	04/25/2016
Answer or Appearance Due:	10:00 am Monday next following the expiration of 20 days after service
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	Michael Patrick Doyle 713-571-1146

---

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC  
CSC is SAS70 Type II certified for its Litigation Management System.  
2711 Centerville Road Wilmington, DE 19808 (888) 690-2882 | [sop@cscinfo.com](mailto:sop@cscinfo.com)

RECEIPT NUMBER 0.00

TRACKING NUMBER 73235895 ATY

CAUSE NUMBER 201621120

PLAINTIFF: GANDY, JOE \*

vs.

DEFENDANT: UNUM LIFE INSURANCE COMPANY OF AMERICA (D/B/A UNUM)

In The 151st  
Judicial District Court of  
Harris County, Texas

## CITATION CORPORATE

THE STATE OF TEXAS  
County of HarrisTO: UNUM LIFE INSURANCE COMPANY OF AMERICA DBA UNUM  
BY SERVING ITS REGISTERED AGENT CORPORATION SERVICE COMPANY DBA  
CSC LAWYERS INCO  
211 E 7TH STREET SUITE 620 AUSTIN TX 78701

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION &amp; JURY DEMAND.

This instrument was filed on the 4th day of April, 2016, in the  
above cited cause number and court. The instrument attached describes the claim against you.YOU HAVE BEEN SUED; you may employ an attorney. If you or your attorney do not file a written answer with the  
District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were  
served this citation and petition, a default judgment may be taken against you.

## TO OFFICER SERVING:

This Citation was issued under my hand and seal of said Court, at Houston, Texas, this 12th day of  
April, 2016.Issued at request of:  
DOYLE, MICHAEL P.  
3401 ALLEN PKWY SUITE 100  
HOUSTON, TX 77019  
TEL: (713) 571-1146  
Bar Number: 6095650Chris Daniel  
CHRIS DANIEL, District Clerk  
Harris County, Texas  
201 Caroline, Houston, Texas 77002  
P.O. Box 4651, Houston, Texas 77210

Generated by: CVALLE, MONICA K7U//10349628

## OFFICER/AUTHORIZED PERSON RETURN

I received this citation on the 25 day of April, 2016, at 2:32 o'clock P.M., endorsed

the date of delivery thereon, and executed it at \_\_\_\_\_ (STREET ADDRESS) \_\_\_\_\_ (CITY)

in \_\_\_\_\_ County, Texas on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.,

by delivering to \_\_\_\_\_ (THE DEFENDANT CORPORATION NAMED IN CITATION) \_\_\_\_\_, by delivering to its

\_\_\_\_\_ (REGISTERED AGENT, PRESIDENT, OR VICE-PRESIDENT) \_\_\_\_\_ in person, whose name is \_\_\_\_\_

a true copy of this citation, with a copy of the \_\_\_\_\_ (DESCRIPTION OF PETITION, E.G., "PLAINTIFF'S ORIGINAL") \_\_\_\_\_ Petition attached,

and with accompanying copies of \_\_\_\_\_ (CERTIFICATES, DOCUMENTS, IF ANY, DELIVERED WITH THIS PETITION)

I certify that the facts stated in this return are true by my signature below on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

FEE: \$ \_\_\_\_\_

By: \_\_\_\_\_ (SIGNATURE OF OFFICER)

Printed Name: \_\_\_\_\_

Affiant Other Than Officer \_\_\_\_\_

As Deputy for: \_\_\_\_\_ (PRINTED NAME &amp; TITLE OF SHERIFF OR CLERK)

On this day \_\_\_\_\_, known to me to be the person whose signature  
appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was  
executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public

04/25/16  
B. Bennett  
SC #1181

**4**

04.139404

4/26/2016 11:27:15 AM  
 Chris Daniel - District Clerk Harris County  
 Envelope No. 10305357  
 By: JIMMY RODRIGUEZ  
 Filed: 4/26/2016 11:27:15 AM

RECEIPT NUMBER 0.00

TRACKING NUMBER 73235895 ATY

CAUSE NUMBER 201621120

PLAINTIFF: GANDY, JOE

vs.  
 DEFENDANT: UNUM LIFE INSURANCE COMPANY OF AMERICA (D/B/A UNUM)

In The 151st  
 Judicial District Court of  
 Harris County, Texas

## CITATION CORPORATE

THE STATE OF TEXAS  
 County of Harris

TO: UNUM LIFE INSURANCE COMPANY OF AMERICA DBA UNUM  
 BY SERVING ITS REGISTERED AGENT CORPORATION SERVICE COMPANY DBA  
 CSC LAWYERS INCO  
 211 E 7TH STREET SUITE 620 AUSTIN TX 78701

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION & JURY DEMAND.

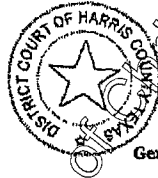
This instrument was filed on the 4th day of April, 2016, in the  
 above cited cause number and court. The instrument attached describes the claim against you.

**YOU HAVE BEEN SUED;** you may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you.

## TO OFFICER SERVING:

This Citation was issued under my hand and seal of said Court, at Houston, Texas, this 12th day of  
April, 2016.

Issued at request of:  
 DOYLE, MICHAEL P.  
 3401 ALLEN PKWY SUITE 100  
 HOUSTON, TX 77019  
 TEL: (713) 571-1146  
 Bar Number: 6095650



*Chris Daniel*  
 CHRIS DANIEL, District Clerk  
 Harris County, Texas  
 201 Caroline, Houston, Texas 77002  
 P.O. Box 4651, Houston, Texas 77210

Generated by: OVALLE, MONICA K7U//10349628

## OFFICER/AUTHORIZED PERSON RETURN

I received this citation on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., endorsed  
 the date of delivery thereon, and executed it at \_\_\_\_\_ (STREET ADDRESS) \_\_\_\_\_ (CITY)  
 in \_\_\_\_\_ County, Texas on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.,  
 by delivering to \_\_\_\_\_ (THE DEFENDANT CORPORATION NAMED IN CITATION), by delivering to its  
 \_\_\_\_\_ (REGISTERED AGENT, PRESIDENT, OR VICE-PRESIDENT), in person, whose name is \_\_\_\_\_,  
 a true copy of this citation, with a copy of the \_\_\_\_\_ (DESCRIPTION OF PETITION, E.G., "PLAINTIFF'S ORIGINAL") Petition attached,  
 and with accompanying copies of \_\_\_\_\_ (ADDITIONAL DOCUMENTS, IF ANY, DELIVERED WITH THE PETITION)

I certify that the facts stated in this return are true by my signature below on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

FEE: \$ \_\_\_\_\_

By: \_\_\_\_\_ (SIGNATURE OF OFFICER)

Printed Name: \_\_\_\_\_

Affiant Other Than Officer \_\_\_\_\_

As Deputy for: \_\_\_\_\_ (PRINTED NAME &amp; TITLE OF AGENCY OR CONSULTANT)

On this day, \_\_\_\_\_, known to me to be the person whose signature  
 appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was  
 executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public

CAUSE NO. 2016-21120

JOE GANDY  
VS.

IN THE 151ST JUDICIAL DISTRICT COURT OF HARRIS COUNTY,  
TEXAS

UNUM LIFE INSURANCE  
COMPANY OF AMERICA D/B/A  
UNUM AND THE UNUM GROUP

AFFIDAVIT OF SERVICE

BEFORE ME, the undersigned authority, Barbara C. Stinnett (SERVER), personally appeared on this day and stated under oath as follows:

1. My name is Barbara C. Stinnett (SERVER). I am over the age of eighteen (18), I am not a party to this case, and have no interest in its outcome. I am in all ways competent to make this affidavit and this affidavit is based on personal knowledge. The facts stated herein are true and correct. My business address is: P.O. Box 684627, Austin TX 78768

(SERVER'S ADDRESS)

2. ON 04/25/16 (DATE) AT 02 : 32 (P) M (TIME)  
CITATION CORPORATE PLAINTIFF'S ORIGINAL COMPLAINT AND JURY DEMAND came to hand for delivery to UNUM LIFE INSURANCE COMPANY OF AMERICA D/B/A UNUM AND THE UNUM GROUP, BY SERVING ITS REGISTERED AGENT, CORPORATION SERVICE COMPANY D/B/A CSC LAWYERS INCO.

3. ON 04/25/16 (DATE) AT 03 : 02 (P) M (TIME) - The above named documents were delivered to: UNUM LIFE INSURANCE COMPANY OF AMERICA D/B/A UNUM AND THE UNUM GROUP, BY SERVING ITS REGISTERED AGENT, CORPORATION SERVICE COMPANY D/B/A CSC LAWYERS INCO by delivering to

Sue Verbees - designated Agent  
(NAME AND TITLE), authorized agent for service @

211 E. 7th Street, Suite 620, Austin TX 78701  
(ADDRESS), by CORPORATE Service

SIGNATURE

SCH# 1187

EXPIRATION: 07/31/17

AFFIANT PRINTED NAME

SWORN TO AND SUBSCRIBED before me by Barbara C. Stinnett appeared on this 25 day of April, 2016 to attest witness my hand and seal of office.

NOTARY PUBLIC IN AND  
FOR THE STATE OF TEXAS



HARRISON STINETT 2016.04.139404  
MY COMMISSION EXPIRES  
July 9, 2016

**5**



## CIVIL PROCESS REQUEST FORM

5/9/2016 2:31:31 PM  
Chris Daniel - District Clerk Harris County  
Envelope No. 10530162  
By: Wanda Chambers  
Filed: 5/9/2016 2:31:31 PM

FOR EACH PARTY SERVED YOU MUST FURNISH ONE (1) COPY OF THE PLEADING  
FOR WRITS FURNISH TWO (2) COPIES OF THE PLEADING PER PARTY TO BE SERVED

CASE NUMBER: 2016-21120 CURRENT COURT: 151<sup>st</sup> Judicial District Court

TYPE OF INSTRUMENT TO BE SERVED (See Reverse For Types): Original Petition & Jury Demand

FILE DATE OF MOTION: : April 02, 2016  
Month/ Day/ Year

SERVICE TO BE ISSUED ON (Please List Exactly As The Name Appears In The Pleading To Be Served):

1. NAME: THE UNUM GROUP

ADDRESS: 211 E. 7<sup>th</sup> Street, Suite 620, Austin, TX 78701

AGENT, (if applicable): Corporation Service Company d/b/a CSC-LAWYERS, INC.

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): Citation

SERVICE BY (check one):

- ☐ ATTORNEY PICK-UP ☐ CONSTABLE  
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: \_\_\_\_\_ Phone: \_\_\_\_\_  
☒ MAIL ☐ CERTIFIED MAIL  
☐ PUBLICATION:  
Type of Publication: ☐ COURTHOUSE DOOR, or  
☐ NEWSPAPER OF YOUR CHOICE: \_\_\_\_\_  
☐ OTHER, explain \_\_\_\_\_

ATTENTION: Effective June 1, 2010

For all Services Provided by the DISTRICT CLERKS OFFICE requiring our office to MAIL something back to the Requesting Party, we require that the Requesting Party provide a Self-Addressed Stamped Envelope with sufficient postage for mail back. Thanks you,

\*\*\*\*\*

2. NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

AGENT, (if applicable): \_\_\_\_\_

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): \_\_\_\_\_

SERVICE BY (check one):

- ☐ ATTORNEY PICK-UP ☐ CONSTABLE  
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: \_\_\_\_\_ Phone: \_\_\_\_\_  
☐ MAIL ☐ CERTIFIED MAIL  
☐ PUBLICATION:  
Type of Publication: ☐ COURTHOUSE DOOR, or  
☐ NEWSPAPER OF YOUR CHOICE: \_\_\_\_\_  
☐ OTHER, explain \_\_\_\_\_

ATTORNEY (OR ATTORNEY'S AGENT) REQUESTING SERVICE:

NAME: Michael P. Doyle TEXAS BAR NO./ID NO. 06095650

MAILING ADDRESS: 3401 Allen Parkway, Suite 100, Houston, TX 77019

PHONE NUMBER: 713 571-1146 FAX NUMBER: 713 571-1148  
area code phone number area code fax number

EMAIL ADDRESS: service@doylelawfirm.com

SERVICE REQUESTS WHICH CANNOT BE PROCESSED BY THIS OFFICE WILL BE HELD FOR 30 DAYS PRIOR TO CANCELLATION. FEES WILL BE REFUNDED ONLY UPON REQUEST, OR AT THE DISPOSITION OF THE CASE. SERVICE REQUESTS MAY BE REINSTATED UPON APPROPRIATE ACTION BY THE PARTIES.

INSTRUMENTS TO BE SERVED:

(Fill In Instrument Sequence Number, i.e. 1st, 2nd, etc.)

ORIGINAL PETITION

\_\_\_\_\_ AMENDED PETITION  
\_\_\_\_\_ SUPPLEMENTAL PETITION

COUNTERCLAIM

\_\_\_\_\_ AMENDED COUNTERCLAIM  
\_\_\_\_\_ SUPPLEMENTAL COUNTERCLAIM

CROSS-ACTION:

\_\_\_\_\_ AMENDED CROSS-ACTION  
\_\_\_\_\_ SUPPLEMENTAL CROSS-ACTION

THIRD-PARTY PETITION:

\_\_\_\_\_ AMENDED THIRD-PARTY PETITION  
\_\_\_\_\_ SUPPLEMENTAL THIRD-PARTY PETITION

INTERVENTION:

\_\_\_\_\_ AMENDED INTERVENTION  
\_\_\_\_\_ SUPPLEMENTAL INTERVENTION

INTERPLEADER

\_\_\_\_\_ AMENDED INTERPLEADER  
\_\_\_\_\_ SUPPLEMENTAL INTERPLEADER

INJUNCTION

MOTION TO MODIFY

SHOW CAUSE ORDER

TEMPORARY RESTRAINING ORDER

BILL OF DISCOVERY:

ORDER TO: \_\_\_\_\_  
(specify)

MOTION TO: \_\_\_\_\_  
(specify)

PROCESS TYPES:

NON WRIT:

CITATION  
ALIAS CITATION  
PLURIES CITATION  
SECRETARY OF STATE CITATION  
COMMISSIONER OF INSURANCE  
HIGHWAY COMMISSIONER  
CITATION BY PUBLICATION  
NOTICE  
SHORT FORM NOTICE

PRECEPT (SHOW CAUSE)  
RULE 106 SERVICE

SUBPOENA

WRITS:

ATTACHMENT (PROPERTY)  
ATTACHMENT (WITNESS)  
ATTACHMENT (PERSON)

CERTIORARI

EXECUTION  
EXECUTION AND ORDER OF SALE

GARNISHMENT BEFORE JUDGMENT  
GARNISHMENT AFTER JUDGMENT

HABEAS CORPUS  
INJUNCTION  
TEMPORARY RESTRAINING ORDER

PROTECTIVE ORDER (FAMILY CODE)  
PROTECTIVE ORDER (CIVIL CODE)

POSSESSION (PERSON)  
POSSESSION (PROPERTY)

SCIRE FACIAS  
SEQUESTRATION  
SUPERSEDEAS